

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

Shenzhenjiermaoyiyouxiangongsi,
A Chinese Corporation

Plaintiff,

v.

The Partnerships And
Unincorporated Associations
Identified On Schedule “A”

Defendants.

Case No.: 0:22-cv-62215-AHS

Judge: Raag Singhal

Magistrate Judge: Alicia O. Valle

**DECLARATION OF LYDIA PITTAWAY IN SUPPORT OF
PLAINTIFF’S MOTION FOR ENTRY OF FINAL DEFAULT JUDGMENT**

I, Lydia Pittaway, declare and state as follows:

1. I am an attorney duly authorized and licensed to practice before all courts in the State of Florida and the Southern District of Florida. I am counsel of record for Plaintiff, Shenzhenjiermaoyiyouxiangongsi, a Chinese Corporation (“Plaintiff”), in the above captioned action. I submit this Declaration, which is filed in support of Plaintiff’s Motion for Entry of Final Default Judgment against Defendants, the Individuals, Business Entities, and Unincorporated Associations identified on Schedule “A” to Plaintiff’s Motion for Entry of Final Default Judgment (collectively “Defaulting Defendants”). I am personally knowledgeable of the matters set forth in this Declaration and, if called upon to do so, I could and would competently testify to the following facts set forth below.

2. Plaintiff filed its Complaint on November 25, 2022 in order to combat the willful and intentional counterfeiting and infringement and false designation of origin by the Defendants marketing, offering for sale, and advertising with its federally registered Ma&Baby trademark. (D.E. 1 at ¶ 3).

3. On January 19, 2023, in order to facilitate the investigation of its claims and the identity and location of Defendants, Plaintiff moved for an order permitting expedited discovery. (D.E. 16). The Court granted the motion and authorized expedited third-party discovery. (D.E. 20). This Court entered an order Authorizing Electronic Service of Process (D.E. 19), permitting Plaintiff to serve the Summonses, Complaint, and filings in this matter upon Defendants via electronic mail (“e-mail”) and via Plaintiff’s designated serving notice website by posting copies of the same on the Internet website appearing at the URL <https://fordbanister.com/case-022-cv-62215-ahs-shenzhenjiermaoyiyouxiangongsi/>.

4. On January 19, 2023, Plaintiff also moved for a temporary restraining order (D.E. 14). On March 23, 2023, this Court granted the motion for a temporary restraining order by sealed order. (D.E. 17). On March 29, 2023, Plaintiff filed its *Ex Parte* Application to Extend Temporary Restraining Order. (D.E. 22). On April 6, 2023, this Court granted Plaintiff’s motion for extension of a temporary restraining order. (D.E. 23).

5. On April 13, 2023, Plaintiff filed its Motion for Preliminary Injunction. (D.E. 25). On April 18, 2023, Plaintiff served Defendants with the Preliminary Injunction and the corresponding notice of hearing. (D.E. 28). On May 5, 2023, this Court granted Plaintiff’s Motion for Preliminary Injunction. (D.E. 32).

6. The Temporary Restraining Order and Preliminary Injunction required, inter alia, third-party payment processors including, but not limited to Payoneer and Walmart and their

related companies and affiliates, to identify and restrain all funds in Defendants' associated payment accounts, including all related financial accounts tied to, used by, or that transmit funds into, the respective Defendants' financial accounts, and divert those funds to a holding account for the trust of the Court. Subsequently, my firm received notice from the third-party processors that it complied with the requirements of the Court's Orders.

7. On April 14, 2023, pursuant to the Court's Order, Plaintiff served Defendants with their respective Summons and a copy of the Complaint via email service and website posting. (D.E. 27).

8. The time allowed for Defendants to respond to the Complaint has expired.

9. To date, Defaulting Defendants have not filed any responsive pleadings to the Complaint, have not requested an enlargement of time to respond to the Complaint, nor have Defaulting Defendants entered a formal appearance pro se or by counsel on their behalf.

10. I am informed and believe that none of the Defaulting Defendants are infants or incompetent persons, and, upon information and belief, the Servicemembers Civil Relief Act does not apply.

11. On May 9, 2023, Plaintiff filed its Motion for Clerk's Entry of Default as to the remaining Defendants. (D.E. 36). On May 10, 2023 the Clerk of Court entered default under Fed.R.Civ.P. 55(a). (D.E. 37).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed the 11th of May, 2023, at Fort Pierce, Florida.

Signature: Lydia Pittaway

Affiant: Lydia Pittaway